

## REDACTED FOR PUBLIC INSPECTION

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### VIA HAND DELIVERY AND ECFS

November 9, 2007

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Suite 5-C327  
Washington, DC 20554

**Re: *Ex Parte*, WC Docket No. 06-172, Petitions of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Boston, New York, Philadelphia, Pittsburgh, Providence and Virginia Beach Metropolitan Statistical Areas**

Dear Secretary Dortch:

In response to an inquiry from the Wireline Competition Bureau,<sup>1</sup> enclosed for filing in the above-referenced proceeding is the responsive information that RCN Telecom Services, Inc. ("RCN") has been able to compile based upon the resources available to it.

**Bureau Request 1:** For each wire center service area or consistent geographic sub-area in the Boston, New York, Philadelphia, Pittsburgh, Providence, and Virginia Beach MSAs where RCN offers telecommunications services, provide an estimate of the percentage of all end-user locations where RCN would be willing and able, within a commercially reasonable time, to provide over its own network the full range of services that are substitutes for Verizon's local service offerings to the extent RCN has not already provided this information.

**RCN Response:** At this time, RCN does not have the data necessary to provide a complete response to Bureau Request No. 1. While RCN provides phone service to residential (single and multi line), small business (1-24 phone lines), and commercial (T-1 circuits, ISDN - PRI) customers in its franchise areas,<sup>2</sup> RCN does not provide service or

<sup>1</sup> See Letter from Dana R. Shaffer, Chief, Wireline Competition Bureau, to Philip Macres, Counsel for RCN Telecom Services, Inc., WC Docket No. 06-172 (dated Oct. 29, 2007).

<sup>2</sup> RCN also provides Cable TV and Internet services.

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track customer locations by wire center because RCN's network does not correspond with Verizon's wire centers. Nor is RCN required to make any reports to regulatory agencies on the basis of Verizon's wire centers and Verizon does not make information concerning the precise boundaries of its wire centers publicly available.<sup>3</sup> In addition, RCN does not maintain reports or gather information that includes all the potential residential and business end users by Verizon's wire centers or in RCN's franchise areas. Regrettably, RCN is unable to provide a specific percentage of *all* end user locations where RCN would be willing and able, within a commercially reasonable time, to provide over its own network the full range of services that are substitutes for Verizon's local service offerings.

In an effort, however, to provide responsive information, RCN has revised and supplemented the Exhibit 2 it previously submitted in this proceeding.<sup>4</sup> The attached Exhibit 2 Supplement includes the following RCN aggregate information by its franchise areas to the extent such information is available: (1) RCN Residential and Small Business Customers, (2) RCN Active Phone Lines, (3) RCN Marketable Homes, and (4) Total Homes. The column entitled "RCN Residential and Small Business Customers" includes the total number of residential and small business customers RCN serves over its cable plant in each of its franchise areas in the MSAs at issue. The column entitled "Active Phone Lines" contains the total number of active residential and small business phone lines RCN provisions over its cable plant in these areas.<sup>5</sup> In the column entitled "RCN Marketable Homes," RCN has listed, by geographic sub-area, the total number of residential homes that RCN is "willing and able, within a commercially reasonable time, to provide over its own network the full range of services that [may be] substitutes for Verizon's local service offerings."<sup>6</sup> In the column entitled "Total Homes," RCN provides an estimate of the total number of households in its franchise areas that is based on

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<sup>3</sup> Although Verizon did offer to provide a computer file describing its wire center boundaries to RCN, RCN does not have the software needed to read this file, nor does it have any personnel who are trained in the use of the required mapping software.

<sup>4</sup> See Letter from Philip J. Macres, Counsel to RCN Telecom Services, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 06-172 (filed Oct. 9, 2007). RCN notes that the information provided in Exhibit 2 Supplement revises and supersedes the information RCN previously provided to Bureau. RCN recently discovered certain aspects of its October 9, 2007 response were inaccurate because the information was inadvertently pulled from the incorrect sources.

<sup>5</sup> Some customers purchase multiple telephone lines, so the number of active lines is greater than the number of distinct customer locations served.

<sup>6</sup> See Letter from Dana R. Shaffer, Chief, Wireline Competition Bureau, to Philip Macres, Counsel for RCN Telecom Services, Inc., WC Docket No. 06-172 (dated Oct. 29, 2007) at 1. RCN lacks the knowledge regarding the precise nature of Verizon's services, and further is unable to state where consumers view RCN's and Verizon's services as substitutes.

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United States Census data.<sup>7</sup> This data only allows RCN to estimate its facilities coverage by the number of "households" in a given geographic area. This Census data only accounts, however, for residences and does not include potential enterprise/business customers.

RCN notes that the franchise areas used in Exhibit 2 Supplement are based upon municipal boundaries, except (a) in New York City, the information is provided by borough where possible, and (b) in the City of Boston, RCN has seven (7) distinct franchise areas that are tabulated separately. Although RCN does not have precise geographic descriptions of these areas available, it previously has provided the Bureau maps of its cable plant that depict where its facilities are located.

Bureau Request 2: For each wire center service area or consistent geographic sub-area in the aforementioned MSAs where RCN offers telecommunications services, provide, separately for residential and business customers, RCN's end-user access line counts by capacity (*e.g.* DS0, DS1, DS3, OCn) to the extent RCN has not already provided this information. Please indicate the proportion of these end-user access lines that are RCN's own last-mile facilities.

RCN Response: Unfortunately, RCN does not have a breakdown of the information requested by municipality readily available. Providing such information would require that a special program be designed and built that pulls the customer type, *i.e.*, residential or business, *and* capacity of service provisioned over RCN's cable plant by geographic municipality, which cannot be accomplished within the time available and would require significant expense.

RCN Exhibit 2 Supplement, however, contains the detailed information that RCN does have. This information includes, as noted above, the total number of residential and small business customers and active phone lines RCN provisions over its own plant in the Boston, New York, and Philadelphia MSAs with data broken down by franchise area (to the extent such information is available).<sup>8</sup>

The Exhibit 2 Supplement contains Highly Confidential Information of RCN and therefore a redacted version of this exhibit is attached. Two copies of this redacted version of RCN's filing are enclosed and one copy is being filed in ECFS. Under separate

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<sup>7</sup> See Supplemental Exhibit 2 for a detailed description of the methodology used in obtaining these numbers.

<sup>8</sup> RCN intends to submit the total number of its commercial customers and line counts it has in these MSAs as soon as possible. Unlike the figures provided in the Active Phone Line column mentioned above, RCN does not have a similar breakdown of its commercial lines in each of its franchise areas in each of the MSAs.

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cover and in accordance with the Second Protective Order in this proceeding,<sup>9</sup> copies of the Highly Confidential Information are being submitted to you along with Dana Shaffer, Jeremy Miller, Tim Stelzig, and Gary Romondino of the Wireline Competition Bureau.

To the extent any party wishes to access the Highly Confidential Information associated with this filing, it should send its request in writing to Christine Johnson (christine.johnson@bingham.com) and Stu Eaton (stu.eaton@bingham.com) along with executed Acknowledgments of Confidentiality associated with the Second Protective Order. RCN reserves the right to object to any such requests.

Also enclosed is an extra copy of this redacted filing, please date stamp and return it to the courier. Should you have any questions about this filing, please contact me.

Sincerely,



Philip J. Macres

Enclosure

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<sup>9</sup> *Petitions of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in the Boston, New York, Philadelphia, Pittsburgh, Providence and Virginia Beach Metropolitan Statistical Areas*, WC Docket No. 06-172, Order, 22 FCC Rcd 892, DA 07-208, ¶ 15 (WCB rel. Jan. 25, 2007) (“Second Protective Order”).

**BOSTON MSA**  
(as of 09/30/07)

RCN Franchise Area	RCN Residential and Small Business Customers	RCN Active Phone Lines	RCN Marketable Homes	Total Homes
BOSTON	REDACTED	REDACTED	REDACTED	REDACTED
BOSTON - WEST ROXBURY	REDACTED	REDACTED	REDACTED	REDACTED
BOSTON - ALLSTON BRIGHTON	REDACTED	REDACTED	REDACTED	REDACTED
ARLINGTON	REDACTED	REDACTED	REDACTED	REDACTED
NEWTON	REDACTED	REDACTED	REDACTED	REDACTED
SOMERVILLE	REDACTED	REDACTED	REDACTED	REDACTED
BROOKLINE	REDACTED	REDACTED	REDACTED	REDACTED
WAKEFIELD	REDACTED	REDACTED	REDACTED	REDACTED
FRAMINGHAM	REDACTED	REDACTED	REDACTED	REDACTED
HUDSON	REDACTED	REDACTED	REDACTED	REDACTED
WALTHAM	REDACTED	REDACTED	REDACTED	REDACTED
RANDOLPH	REDACTED	REDACTED	REDACTED	REDACTED
QUINCY	REDACTED	REDACTED	REDACTED	REDACTED
BOSTON - CHARLESTOWN	REDACTED	REDACTED	REDACTED #N/A	REDACTED
WATERTOWN	REDACTED	REDACTED	REDACTED	REDACTED
NORWOOD	REDACTED	REDACTED	REDACTED	REDACTED
LEXINGTON	REDACTED	REDACTED	REDACTED	REDACTED
BURLINGTON	REDACTED	REDACTED	REDACTED	REDACTED
BELMONT	REDACTED	REDACTED	REDACTED	REDACTED
DEDHAM	REDACTED	REDACTED	REDACTED	REDACTED
WOBURN	REDACTED	REDACTED	REDACTED	REDACTED
NATICK	REDACTED	REDACTED	REDACTED	REDACTED
SAUGUS	REDACTED	REDACTED	REDACTED	REDACTED
NEEDHAM	REDACTED	REDACTED	REDACTED	REDACTED
WEYMOUTH	REDACTED	REDACTED	REDACTED	REDACTED
STONEHAM	REDACTED	REDACTED	REDACTED	REDACTED
WINCHESTER	REDACTED	REDACTED	REDACTED	REDACTED
MARLBORO	REDACTED	REDACTED	REDACTED	REDACTED
MILTON	REDACTED	REDACTED	REDACTED	REDACTED
BRAINTREE	REDACTED	REDACTED	REDACTED	REDACTED
BOSTON - HYDE PARK	REDACTED	REDACTED	REDACTED	REDACTED
BOSTON - ROXBURY	REDACTED	REDACTED	REDACTED #N/A	REDACTED
BOSTON - SOUTH BOSTON	REDACTED	REDACTED	REDACTED #N/A	REDACTED
	REDACTED	REDACTED	REDACTED	REDACTED

RCN Residential and Small Business Customers = The number of residential and small business customers RCN serves as of September 30, 2007 in each of its franchise areas in the Boston MSA.

RCN Active Phone Lines = The number of residential and small business voice lines RCN provisions as of September 30, 2007 in each of its franchise areas in the Boston MSA. Note that the number of customers referenced in the RCN Residential and Small Business Customers column may have multiple lines and therefore, the RCN Active Phone Lines column is more than the customer count.

RCN Marketable Homes = The number of residential homes that RCN's cable plant reaches that RCN can serve.

Total Homes = The estimated number of residential households in each of RCN's franchise areas in the Boston MSA. This figure does not include businesses and was estimated using data from the 2000 US Census along with the 2004 US Census Update. The 2004 updated information was used for all cities where it was available. An estimate for 2007 was computed by applying the average growth of major urban centers between 2000 and 2004 to the most recent available data.

In this MSA, RCN provides phone service to residential (single and multi line), small business (1 - 24 phone lines), and commercial (T-1 circuits, ISDN - PRI,) customers. RCN also provides Cable TV and Internet services in these areas.

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**PHILADELPHIA MSA**

(as of 09/30/07)

RCN Franchise Area	RCN Residential and Small Business Customers	RCN Active Phone Lines	RCN Marketable Homes	Total Homes
Clifton Hgts.	REDACTED	REDACTED	REDACTED	REDACTED
Collingdale Borough	REDACTED	REDACTED	REDACTED	REDACTED
Colwyn Borough	REDACTED	REDACTED	REDACTED	REDACTED
Darby Borough	REDACTED	REDACTED	REDACTED	REDACTED
Darby Township	REDACTED	REDACTED	REDACTED	REDACTED
East Landsdowne Borough	REDACTED	REDACTED	REDACTED	REDACTED
Eddystone	REDACTED	REDACTED	REDACTED	REDACTED
Folcroft Borough	REDACTED	REDACTED	REDACTED	REDACTED
Glenolden	REDACTED	REDACTED	REDACTED	REDACTED
Landsdowne Borough	REDACTED	REDACTED	REDACTED	REDACTED
Milbourne Borough	REDACTED	REDACTED	REDACTED	REDACTED
Morton Borough	REDACTED	REDACTED	REDACTED	REDACTED
Norwood Borough	REDACTED	REDACTED	REDACTED	REDACTED
Prospect Park	REDACTED	REDACTED	REDACTED	REDACTED
Ridley Park Borough	REDACTED	REDACTED	REDACTED	REDACTED
Ridley Township	REDACTED	REDACTED	REDACTED	REDACTED
Rutledge Borough	REDACTED	REDACTED	REDACTED	REDACTED
Sharon Hill	REDACTED	REDACTED	REDACTED	REDACTED
Tinicum Township	REDACTED	REDACTED	REDACTED	REDACTED
Upper Darby	REDACTED	REDACTED	REDACTED	REDACTED
Yeadon	REDACTED	REDACTED	REDACTED	REDACTED
Total	REDACTED	REDACTED	REDACTED	REDACTED

RCN Residential and Small Business Customers = The number of residential and small business customers RCN serves as of September 30, 2007 in each of its franchise areas in the Philadelphia MSA.

RCN Active Phone Lines = The number of residential and small business voice lines RCN serves as of September 30, 2007 in each of its franchise areas in the Philadelphia MSA. Note that the number of customers referenced in the RCN Residential and Small Business Customers column may have multiple lines and therefore, the RCN Active Phone Lines column is more than the customer count.

RCN Marketable Homes = The number of residential homes that RCN's cable plant reaches that RCN can serve.

Total Homes = The estimated number of residential households in each of RCN's franchise areas in the Philadelphia MSA. This figure does not include businesses and was estimated using data from the 2000 US Census along with the 2004 US Census Update. The 2004 updated information was used for all cities where it was available. An estimate for 2007 was computed by applying the average growth of major urban centers between 2000 and 2004 to the most recent available data.

In this MSA, RCN provides phone service to residential (single and multi line), small business (1 - 24 phone lines), and commercial (T-1 circuits, ISDN - PRI,) customers. RCN also provides Cable TV and Internet services in these areas.

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**New York MSA**  
(as of 09/30/07)

RCN Franchise Area	RCN Residential and Small Business	RCN Active Phone Lines	RCN Marketable Homes	Total Homes
Manhattan	REDACTED	REDACTED	REDACTED	REDACTED
Queens	REDACTED	REDACTED ( * )	REDACTED	REDACTED
Brooklyn		( * )	REDACTED	REDACTED
Total	REDACTED	REDACTED ( * )	REDACTED	

( \* ) This total includes both Queens and Brooklyn Customers and Active Phone lines. The breakdown between the boroughs is not available.

RCN Residential and Small Business Customers = The number of residential and small business customers RCN serves as of September 30, 2007 in each of its franchise areas in the New York MSA.

RCN Active Phone Lines = The number of residential and small business voice lines RCN serves as of September 30, 2007 in each of its franchise areas in the New York MSA. Note that the number of customers referenced in the RCN Residential and Small Business Customers column may have multiple lines and therefore, the RCN Active Phone Lines column is more than the customer count.

RCN Marketable Homes = The number of residential homes that RCN's cable plant reaches that RCN can serve.

Total Homes = The estimated number of residential households in each of RCN's franchise areas in the New York MSA. This figure does not include businesses and was estimated using data from the 2000 US Census along with the 2004 US Census Update. The 2004 updated information was used for all cities where it was available. An estimate for 2007 was computed by applying the average growth of major urban centers between 2000 and 2004 to the most recent available data.

In this MSA, RCN provides phone service to residential (single and multi line), small business (1 - 24 phone lines), and commercial (T-1 circuits, ISDN - PRI,) customers. RCN also provides Cable TV and Internet services in these areas.

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